

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

HARVEY LAPIN

Plaintiff,

-v-

GOLDMAN SACHS & CO., *et al.*,

Defendants.

USDS SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 7/16/10


No. 04 Civ. 2236 (RJS)  
ORDER

RICHARD J. SULLIVAN, District Judge:

The Court is in receipt of the parties' July 12, 2010 submission including a proposed settlement agreement and release, proposed notice, and proposed summary notice in this action. IT IS HEREBY ORDERED that the parties shall make an additional submission, to be received no later than July 30, 2010, explaining why the settlement agreement is "fair, adequate, and reasonable, and not a product of collusion." *Joel A. v. Giuliani*, 218 F.3d 132, 138-39 (2d Cir. 2000). The parties' submission shall include a sworn statement regarding why the settlement agreement resulted from arm's-length negotiations. Additionally, the parties' submission shall contain a revised, proposed notice that meets the PLSRA's requirement that notice contain a "[s]tatement of potential outcome of [the] case." 15 U.S.C. §§ 78u-4(a)(7)(B); *see also In re Global Crossing Securities and ERISA Litigation*, 225 F.R.D. 436, 449 (S.D.N.Y. 2004).

SO ORDERED.

Dated: July 16, 2010  
New York, New York

  
RICHARD J. SULLIVAN  
UNITED STATES DISTRICT JUDGE